

May 5, 1975

CLERK: 17 ayes, 22 nays.

PRESIDENT: The motion fails.

CLERK: Now, Mr. President, I move that on Page 2 strike the new matter and reinstate the stricken matter. In line 9, strike 25 and insert 30 and strike the Marvel amendment. Signed J. Koch of the 12th District.

PRESIDENT: The Chair recognizes J. Koch.

SENATOR KOCH: Mr. President and members of the body, this amendment a moment ago, which is merely a reaffirmation of the amendment that Senator Warner offered had over 26 votes on the Board. I find it hard that amendments following that had less than that. That's the reason I offer the amendment. I think it is a reasonable compromise of what we are trying to do this afternoon and most people believe it is right and then when we get the other bill over there, and I can't understand where that is, which is 589 or some number like that. These two bills should go together, should go together because they are revenue raising bills. So I offer this amendment in good faith and I believe it got 26 or 27 votes the first time. It should be able to muster the same amount of votes and then we would know where we are on 123.

PRESIDENT: Senator Frank Lewis.

SENATOR F. LEWIS: I rise to oppose the Koch motion. Senator Koch, you see what happened was that Senator Warner came up with an idea. The idea was acceptable but there had to be a little refining touches added to it which means that if you have a corporation which has over \$25,000, you pay 35% and under is 25%. I think people were voting for Senator Warner's concept. They saw the wisdom and the beauty of the subsequent amendment that was added on by the same number of votes that you quoted and that seems to be the will of the body. I'd urge that you'd reject the Koch motion and let us proceed with the bill and move it across.

PRESIDENT: Senator Keyes.

SENATOR KEYES: Well, Mr. Speaker, I, too, would have to oppose it. I just don't want to start a corporation out and have the first \$25,000 be penalized with higher state income tax than if they would have stayed a private individual.

PRESIDENT: Senator Chambers.

SENATOR CHAMBERS: Members of the Legislature, I am opposed to this amendment but Senator Kelly just said it suits him. I was going to speak for both of us but I am opposed to Senator Koch's amendment and I think the reason he offered it is because he may have missed some of the...I am giving my opinion, he may have missed some of the debate when this amendment was first offered by Senator Warner and, subsequently, rejected in preference to another amendment. And the reason I say he wasn't listening, he used the expression in utter confusion about what had happened, and if you did miss a link in the chain of debate, I can see where there would be utter confusion but I was not confused on what had